

City of Concord Planning Board
December 18, 2024
Minutes

The regular monthly meeting of the Concord Planning Board was held on December 18, 2024, at 7:00 p.m., in City Council Chambers at 37 Green St, Concord.

Attendees: Dina Condodemetraky, David Fox, Matthew Hicks, Teresa Rosenberger (Ex-Officio for City Manager), Jeff Santacruce, Amanda Savage, Councilor Brent Todd, and Chair Richard Woodfin

Absent: Mayor Byron Champlin, Alternate Chiara Dolcino, and Alternate Frank Kenison

Staff: AnneMarie Skinner (City Planner), Alec Bass (Assistant City Planner – Community Planning), Krista Tremblay (Administrative Specialist II), and Peter Kohalmi (Associate City Engineer)

1. Call to Order

Chair Woodfin called the meeting to order at 7:00 p.m.

2. Roll Call

The Clerk, AnneMarie Skinner, did the roll call, noting that a quorum is present.

3. Approval of Meeting Minutes

On a motion by Member Santacruce, seconded by Member Hicks, the Planning Board voted to approve the November 20, 2024, Planning Board meeting minutes, as written. The motion passed unanimously.

4. Agenda Overview

Chair Woodfin provided an agenda overview noting that items 7B, 7C, and 8C were all requested by the applicants to be continued to a date certain of January 15, 2025.

Chair Woodfin provided an agenda overview noting that item 7A was requested by the applicant to be continued to a date certain of February 19, 2025.

Chair Woodfin provided an agenda overview noting that item 7D was requested by the applicant to be continued to a date certain of March 19, 2025.

Member Santacruce moved, seconded by Councilor Todd, to continue agenda items 7B, 7C, and 8C to a date certain of January 15, 2025, at the request of the applicants. All in favor. The motion passed unanimously.

Member Condodemetraky moved, seconded by Member Santacruce, to continue agenda item 7A to a date certain of February 19, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

Member Santacruce moved, seconded by Member Councilor Todd, to continue agenda item 7D to a date certain of March 19, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

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5. Design Review Applications by Consent

On a motion made by Member Savage, seconded by Member Hicks, the Board voted unanimously to approve agenda items 5A, 5B, and 5D-5H as submitted, subject to the recommendations of the Architectural Design Review Committee. All in favor. The motion passed unanimously.

- 5A. Poyant Signs, on behalf of JS 155 Loudon Road LLC ET AL, requests architectural design review approval for three new internally illuminated wall signs of 72.87-square-feet (SP-0388-2024), 30.37-square-feet (SP-0390-2024), and 72.87-square-feet (SP-0389-2024), and two internally illuminated pylon panel signs of 35.51-square-feet (SP-0394-2024) and 49.51-square-feet (SP-0391-2024) to replace existing signage at 155 Loudon Road in the Gateway Performance (GWP) District.

The Planning Board approved the applications as submitted with the condition that an opaque background be applied to the white background of the pylon panels to more closely conform to Section 5.4(C) of the Architectural Design Guidelines which states that internally lit signs should provide opaque backgrounds with translucent letters.

- 5B. Sousa Signs, LLC, on behalf of Brixmore Capital SC LLC, and Five Below, requests architectural design review approval for a new 160-square-foot, internally illuminated wall sign (SP-0398-2024) at 80 Storrs St in the Opportunity Corridor Performance (OCP) District. (2024-077)

The Planning Board approved the application as submitted for the 160-square-foot, channel letter “five below” building sign.

- 5C. Sanel Napa and Ethos Sign Co, on behalf of Automotive Supply Assoc, Inc, requests architectural design review approval for a replacement 128-square-foot non-illuminated tenant panel (SP-0401-2024) to replace an existing tenant panel in an existing pylon sign at 263 S Main St in the Urban Transitional (UT) and Opportunity Corridor Performance (OCP) Districts. (2024-076)

** This agenda item was pulled from consent by staff. **

Chair Woodfin stated the Board has a revised image of the sign that was recently provided. Chair Woodfin asked for a staff update.

Mr. Bass stated the image was received today. The applicant addressed some of the Architectural Design Review Committee’s suggestions by changing the text, font, size, color, and style for consistency. Mr. Bass noted the sign submitted today was different enough that staff wanted to provide the Planning Board with this explanation since it is not the same sign image as what was provided in the agenda packet.

Chair Woodfin asked if the applicant can replace each name or do they have to replace the entire panel?

Mr. Bass stated the intention is that the individual tenant names will come and go.

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Member Santacruce stated the image provided tonight does not have any dimension for the height of the sign. Member Santacruce asked if the height of the sign will be the same as the other one or is the height changing in any way?

Mr. Bass stated not that he is aware of any height change as the sign is limited with what they can do to keep their legal non-conforming status. Mr. Bass stated if they were concerned they could as part of the motion add language to address the submission today with the understanding that the sign panel height will be six feet off the ground.

Chair Woodfin opened to the public for testimony. With no one in the audience wishing to speak on this agenda item, Chair Woodfin closed the public hearing.

Member Santacruce made a motion to approve the application as presented during the public hearing on December 18, 2024, with the understanding that only the name of tenants shall be placed in the white boxes on the sign, in a size, spacing, and font, consistent with the character of the sign and this approval, and with the understanding that the panel will be 5 feet off the ground, 16 feet tall, for a total height of 21 feet. Member Condodemetraky seconded. All in favor. The motion passed unanimously.

- 5D. Sousa Signs, LLC, on behalf of Associated Enterprises, Inc. and Marathon Sports, requests architectural design review approval for a replacement 11.8-square-foot non-illuminated sign and awning (SP-0406-2024) to replace an existing sign and awning, and a new 5-square-foot non-illuminated window sign (SP-0407-2024) at 142 N Main St in the Central Business Performance (CBP) District. (2024-078)

The Planning Board approved the application as submitted.

- 5E. KC Signs, on behalf of Carrier Place, LLC and AT&T, requests architectural design review approval for a replacement 19.13-square-foot internally illuminated wall sign (SP-0403-2024) to replace an existing wall sign, and a replacement 5.7-square-foot internally illuminated tenant panel (SP-0404-2024) to replace an existing tenant panel in an existing pylon sign at 273 Loudon Rd in the Gateway Performance (GWP) District. (2024-080)

The Planning Board approved the application as submitted.

- 5F. Angel Galvan, on behalf of Seman Enterprises, LLC and The Light of The World Church, requests architectural design review approval for a new 12-square-foot non-illuminated window sign (SP-0408-2024) at 328 Village St in the Central Business Performance (CBP) District. (2024-081)

The Planning Board approved the application as submitted with the condition that colons after “Daily Gatherings” and “Sunday School” be removed; and with the suggestion that the words “daily gatherings” and the line below it, be slightly raised.

- 5G. NEOPCO Signs, on behalf Stephen T. and Ellen J. Destefano, Century 21, and Inscription Architects, requests architectural design review approval for replacement 0.5-square-foot lettering (SP-0409-2024) to replace existing lettering on the existing externally illuminated freestanding sign, and the

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addition of a new 6-square-foot panel (SP-0410-2024) to be placed on the existing externally illuminated freestanding sign at 46 Pleasant St in the Central Business Performance (CBP) District. (2024-083)

The Planning Board approved the application as submitted with the suggestion that the space between the signs be increased a couple of inches.

5H. Jared Mostue, on behalf of Sheep Davis Flex, LLC and BAM Ventures, LLC dba Body & Mind Fitness, requests an architectural design review recommendation for a new 18-square-foot non-illuminated wall sign (SP-0411-2024) at 248 Sheep Davis Rd in the Gateway Performance (GWP) District. (2024-087)

The Planning Board approved the application as submitted.

Public Hearings

6. Design Review Applications

6A. Jigme Ghising, on behalf of Remi's Block, LLC, and New Everest Momo & Curry, requests an architectural design review recommendation for a new 6-square-foot internally illuminated building wall sign (SP-0386-2024) at 156 N Main St in the Central Business Performance (CBP) District. (2024-079)

Mr. Bass provided a staff update, stating that the applicant has discussed with staff the sign location. Mr. Bass noted the revision provided by the applicant addresses two of the three suggestions from Architectural Design Review Committee. The one that was not revised was the location. Upon further review, the Architectural Design Review Committee's desired location for the sign is not possible because that location is glass with no way to affix the proposed sign. The applicant has reportioned the sign, resized it, and proposed placement over the door for the Planning Board to approve tonight.

Chair Woodfin asked if Architectural Design Review Committee has seen the revised sign?

Mr. Bass stated Architectural Design Review Committee has not seen the revised sign.

Kendra Price (249 Sheep Davis Rd Unit 4, Concord) presented comments as the applicant. Ms. Price stated they agreed on the two suggestions and the location was the only one with which they disagree. Ms. Price stated they prefer to have a sign above the door,

Chair Woodfin asked if the sign that was there before was a blade sign?

Ms. Price stated yes.

Chair Woodfin asked if Architectural Design Review Committee made any comments on the "o" and "u" letters as they are hard to read?

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Member Santacruce noted Architectural Design Review Committee suggested to keep it.

Member Savage stated the original sign presented was a blue background with white letters the opposite of what is being shown tonight. The dumpling was hard to see and they felt it could pop better. Ms. Savage noted the “u” for curry is not popping as much.

Chair Woodfin asked if they can beef up the curry bowl for more visibility.

Mr. Santacruce asked if the sign is opaque white and if it is internally illuminated?

Ms. Price stated it should be opaque and not frosted.

Chair Woodfin asked for a modification to curry bowl to make it readable.

Chair Woodfin made a motion to approve the 2024-079 Revised Sign, dated December 11, 2024, as submitted for tonight’s hearing, with the condition that the linework or graphics of the bowl representing the “u” in “curry” be improved to increase legibility. Member Rosenberger seconded. All in favor. The motion passed unanimously.

6B. Advantage Signs, on behalf of 721 Beech Street Realty Trust, Campbell Daniel J Trustee, and Capital Estates, requests architectural design review approval for a replacement 13.41-square-foot externally illuminated panel (SP-0412-2024) to replace an existing externally illuminated panel in an existing freestanding sign at 81 Fisherville Rd in the Urban Transitional (UT) District. (2024-82)

Mr. Bass provided a staff update by noting that in the revised sign before the Planning Board tonight, the applicant added the address of the building and that address was not presented to the Architectural Design Review Committee. With that slight difference, staff wanted it to be clear what the Planning Board was considering for approval. Mr. Bass noted if the Planning Board was to make a motion for approval, to include in the motion to approve the 2024-082 revised sign, dated November 12, 2024, with the revision date of December 4, 2024.

Member Condodemetraky made a motion to approve the 2024-082 Revised Sign, dated November 12, 2024, with the revision date of December 4, 2024, as submitted. Member Savage seconded. All in favor. The motion passed unanimously.

7. Site Plan, Subdivision and Conditional Use Permit Applications

7A. Richard D. Bartlett & Associates, LLC, on behalf of Jesse E. Murray Revocable Trust 1991 and Helen B. Murray Revocable Trust 1991, requests approvals for a minor subdivision and certain waivers from the Subdivision Regulations for a lot line adjustment between 115 River Rd and 119 River Rd, in the Open Space Residential (RO) District. (2024-084)

Member Condodemetraky moved, seconded by Member Santacruce, to continue agenda item 7A to a date certain of February 19, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

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- 7B. Richard D. Bartlett & Associates, LLC, on behalf of Alden Place Condominium Owners' Association, requests approvals for a minor subdivision application to eliminate platted convertible land area and make it platted common area, and certain waivers from the Subdivision Regulations, at 6 McKinley St, 1 Matthew St, and 310 S Main St in the Neighborhood Residential (RN) District. (2024-072)

Member Santacruce moved, seconded by Councilor Todd, to continue agenda item 7B to a date certain of January 15, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

- 7C. Michael G. and Eileen M. Gfroerer request approvals for a minor subdivision and certain waivers from the Subdivision Regulations for a lot line adjustment between 12 Tahanto St and 11 Summit St, in the Neighborhood Residential (RN) District.

Member Santacruce moved, seconded by Councilor Todd, to continue agenda item 7C to a date certain of January 15, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

- 7D. Granite Engineering, LLC and Brenton Cole, on behalf of Bradcore Holdings, LLC, request approvals for a major site plan application and architectural design review for an 8,250-square foot building addition and accompanying circulation and parking improvements, and conditional use permit applications for disturbance to a wetland buffer and an alternative parking arrangement for the construction of fewer parking spaces than what is required. Also requested are waivers from the Site Plan Regulations. The site is addressed as 391 Loudon Rd, operating as Chappell Tractor Sales, LLC, in the Gateway Performance (GWP) District. (2024-018)

Member Santacruce moved, seconded by Member Councilor Todd, to continue agenda item 7D to a date certain of March 19, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

- 7E. Wilcox & Barton, on behalf of The Arts Alley, LLC, and 20 South Main Street, LLC, requests approvals for a major condominium subdivision and certain waivers from the Subdivision Regulations for a four-unit condominium subdivision, with two units in the Arts Alley building, one unit as the proposed diner car building, and the fourth unit being the renovated carriage house to be known as Duke's, at 20 S Main St, 20 1/2 S Main St, and 22 S Main St, in the Central Business Performance (CBP) District. (2024-060)

Ms. Skinner stated this is a major subdivision in the Central Business Performance District and it requires the two steps for determining completeness, with the first step being the determination and setting the public hearing for the following month, and the second step being the public hearing in the subsequent month. However, the applicant requested a waiver from the two-step process to have the determination of completeness tonight with the public hearing immediately following, rather than taking place next month. The motion to determine complete will need to include the motion to approve the waiver.

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Member Hicks made a motion to approve the waiver from Section 10.06 *Major Subdivision Procedure Determination of Completeness*, to allow for the application to be heard within a one-scheduled meeting period rather than the determination of completeness meeting one month with a public hearing the following month, based on satisfaction of the five waiver criteria of Section 35.08 of the Site Plan Regulations and RSA 674:36(II)(n)(2); to determine the application complete; to determine that it is not a development of regional impact, per New Hampshire RSA 36:55; and to open the public hearing. Member Santacruz seconded. All in favor. The motion passed unanimously.

Erin Lambert (2 Home Ave, Concord, NH) presented the application. Ms. Lambert stated it is a land condominium, which under the City regulations is considered a major subdivision. Ms. Lambert stated all site changes and improvements were approved through the site plan process with the Arts Alley project. Ms. Lambert noted the two lots will be merged. A land condominium establishing ownership and responsibility will be assigned. Within the Arts Alley building, the first floor will be unit one, The Friendly Toast. The second floor will be unit two. The diner will be unit 3. The former carriage house in the rear will be unit four. The condominium documents will assign responsibility for limited common areas and common areas. The documents will state who is responsible for maintaining each utility, as well as snow plowing and trash removal responsibility. Ms. Lambert stated everything that has been submitted to the Planning Board is current. However, there is a bathroom on the rear of the building on the first floor and is the bathroom for the diner. On the plans that were submitted it was assigned as limited common area for units two, three, and four. It will only be for unit three. There is a plan that will be resubmitted with that change.

Chair Woodfin asked if there is access from the outside?

Ms. Lambert stated yes.

Chair Woodfin closed the public hearing.

Chair Woodfin stated listed the findings of fact, which included the information provided in the staff reports; the applicant's submission materials; testimony provided during the public hearing; and/or, other documents or materials provided in the public hearing.

Based on the adopted findings of fact, Member Santacruz moved, seconded by Member Hicks, to **grant the waiver requests below** from the listed sections of the Subdivision Regulations, using the criteria of RSA 674:36(II)(n)(2) and Section 35.08 of the Subdivision Regulations.

- a. Section 12.08(3) *Topography*, to not show existing topographic conditions and all proposed changes in ground elevation at a contour interval of two feet;
- b. Section 12.08(18) *Lighting*, to not show the type and location of existing outdoor lighting;
- c. Section 12.08(23)(c) *Tabulations* and Section 16.01(1) *Required Information*, to not list the impervious surface coverage in square feet and percent;
- d. Section 16.02(3) *Plan Scale*, to allow the plat at 1" – 10' scale;
- e. Section 15.03(11) *Municipal Sewer* and 16.03(13) *Municipal Sewer*, to not show location, size, rim, and invert elevations of existing sanitary and storm sewers;
- f. Section 16.03(14) *Municipal Water Supply*, to not show existing water mains;

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- g. Section 16.04 *Construction Plans*, to not submit construction plans for a major subdivision;
- h. Section 17.04(1), to not show on the final plat all common facilities;
- i. Section 17.04(3), to not show acceptable means for water metering, water service, and sewer service on the final plat and building floor plans; and
- j. Section 17.05 *Acceptable Water Metering and Water Service*, to not demonstrate one or more of four provisions for water metering and water service for the conversion of the one existing building at 20 S Main St to a condominium.

All in favor. The motion passed unanimously.

Member Condodemetraky moved, seconded by Councilor Todd, to **grant major subdivision** approval for the condominium subdivision of 20, 20 ½, and 22 S Main St, as submitted, subject to the following:

- (a) **Precedent Conditions** – to be fulfilled within one year and prior to signature of the final plat by the Planning Board Chair and Clerk, unless otherwise specified:
 - 1. For compliance with the Subdivision Regulations, revise the condominium plat as follows:
 - a. If any of the requested waivers or conditional use permits are not granted, revise the plat to show compliance with the items that were not approved.
 - 2. The plat shall list all approved variances, waivers, and conditional use permits with the section numbers and description, and date of approval.
 - 3. Prior to the recording of the plat and as required by Section 12.09 *Electronic Submission* of the Subdivision Regulations, digital information from the plat shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information (GIS) and tax maps. The digital information shall be submitted in a format and media conforming to standards promulgated by the City Engineer. The layers listed in Section 12.09(1) through (8) shall be submitted referencing New Hampshire State Plane Grid Coordinates and shall be based on National American Vertical Datum 1988 (NAVD 88).
 - 4. Upon notification from the Planning Division that the final plat complies with Planning Board conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division one mylar, one full-size plan set, and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk and subsequent recording of the mylar at the Merrimack County Registry of Deeds. Per Section 15.02(1) *Licensed Land Surveyor*, the final plat drawings shall contain the signature and stamp of the New Hampshire licensed land surveyor who prepared the plat.
 - 5. Per Section 13.02(13) *Recording Fees*, the applicant is responsible for submittal of required recording fees.
 - 6. Per Section 16.02(13) *Registry Requirements*, the applicant is responsible for ensuring that the plat to be recorded complies with the current standards of the Merrimack County Registry of Deeds.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
 - 1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the municipal code, Subdivision Regulations, and Concord

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Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is granted.

2. Per Section 4.02, no land shall be subdivided or portions of a lot transferred within the corporate limits of the City, until a subdivision plat for said land has been prepared in accordance with the regulations, approved by the Board, endorsed by the Chair and Clerk of the Planning Board, and filed at the Merrimack County Registry of Deeds.
3. Per Section 4.03 of the Subdivision Regulations, no building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and which is not in conformity with, the provisions of the Subdivision Regulations.
4. Per Section 9.08(10) *Building Permits and Certificates of Occupancy*, in accordance with Section 31.12 *Issuance of Building Permits*, no building permit or certificate of occupancy shall be issued within a subdivision until the plat has been approved, the conditions of plat approval have been satisfactorily addressed, and the plat recorded in the Merrimack County Registry of Deeds.
5. Per Section 9.08(10) *Building Permits and Certificates of Occupancy*, in accordance with Section 31.13 *Issuance of Certificates of Occupancy*, no Certificate of Occupancy shall be issued within a subdivision until all requisite public improvements have been completed and accepted by the City.
6. Section 17.04(4) allows for the Planning Board to require substandard existing water and sewer services to be upgraded to City standards. It is unclear from the submitted materials if any of the existing water and sewer services are substandard, so a condition of approval shall be to upgrade any existing substandard water and/or sewer services to City standards.
7. Per Section 17.06 *Condominium Declaration and By-Laws*, the approved condominium documents shall be considered part of the official approval and shall not be altered to be inconsistent with the recorded plat, without further review and approval by the Board of a revised subdivision application.
8. Per Section 19.04 *Monuments*, a New Hampshire licensed land surveyor shall place permanent reference monuments in the subdivision, as required by the Subdivision Regulations and as approved by the City Engineer. All monuments shall be inspected by the City of Concord. All such monuments shall be set flush with the proposed grade and planted in such a manner that they will not be removed by frost. **All monuments shall be properly set prior to the time of the release of the performance guarantee.**
9. Per Section 30.01 *Financial Guarantees*, a financial guarantee shall be provided to secure the installation of the public and common private improvements. The applicant shall provide an acceptable financial guarantee for all public and common private improvements, together with easements for any public rights-of-way, utility or storm drainage easements, slope and access easements, conservation easements, agreements to provide a private easement, public improvement guarantee, or any other required legal document. Acceptable types of financial guarantees are listed in Section 30.02 *Acceptable Financial Guarantee*.
10. Per Section 30.03 *Amount of Financial Guarantee*, the amount of the financial guarantee shall be approved by the City Engineer. A New Hampshire licensed professional engineer shall submit a construction cost estimate acceptable to the City Engineer, which includes breakdowns by quantity of material and unit costs, along with contingencies, prior to the presentation of any financial guarantee.

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11. Per Section 30.05 *Release of Financial Guarantees*, the release of a financial guarantee shall not be undertaken until the City Engineer states that all required improvements have been satisfactorily completed, an acceptable as-built plan has been submitted, a maintenance guarantee has been provided, and public improvements are ready for acceptance.
12. Per Section 30.07 *Maintenance Guarantee*, the applicant shall file a maintenance guarantee to assure satisfactory condition of the required improvements, including all lot improvements on the individual subdivided lots, for a period of two years after the date of their acceptance.
13. Per Section 30.08 *Site Stabilization Guarantee*, the applicant shall provide a site stabilization guarantee to assure the stabilization of a disturbed site, in an amount acceptable to the City Engineer.
14. Per Section 31.01 *Completion of Required Improvements*, the period within which the required improvements must be completed shall be incorporated in the financial guarantee and shall not exceed two years from the date of plat recordation or shall not exceed two years from the commencement of each phase for a phased approval.
15. Per Section 31.05 *Inspection of Improvements*, the Clerk and the City Engineer shall be responsible for inspecting the required public and private improvements and may assess the application all or a portion of the cost, including overhead, of the necessary inspections. If the City Engineer finds, upon inspection, that any of the required improvements have not been constructed in accordance with the plans as approved by the Board and the Concord Construction Standards and Details, the applicant shall be responsible for reconstructing the improvements and the cost of same.
16. Per Section 31.10 *As-Built Plans*, the applicant's engineer or surveyor shall submit to the City Engineer a detailed as-built survey of the subdivision, indicating location, dimensions, materials, and other information required by the City Engineer. The as-built survey shall also be submitted in digital format and media conforming to the Engineering Division's as-built checklist. A New Hampshire licensed professional engineer shall certify to the City Engineer that the layout of the line and grade of all public improvements is in accordance with the construction plans for the subdivision as approved by the Board.
17. Per Section 31.13 *Issuance of Certificates of Occupancy*, no certificate of occupancy for any building in the subdivision shall be issued prior to the completion of the improvements and acceptance of the public streets. No certificate of occupancy for any building in a subdivision with private streets shall be issued until the utilities, drainage, and street improvements required for the subdivision or subdivision phase are substantially complete.

All in favor. The motion passed unanimously.

7F. Christine Gray and Loureiro Engineering Associates, Inc., on behalf of 128 Airport Rd, LLC, request approvals for a minor site plan application, and certain waivers from the Site Plan Regulations, for construction of a new 4,000-square-foot outdoor storage yard and associated site improvements to a developed site, at 128 Airport Rd in the Industrial (IN) District (2024-073)

Ms. Skinner provided a staff update, stating that the site is developed. The building, parking, and landscaping are all in place. The application proposes the addition of a 4,000-square-foot outdoor

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storage area. That triggers site plan review. They worked with staff to have robust and complete application. The application complies with the zoning ordinance.

Christine Gray (100 Northwest Dr, Plainville, CT) presented the application. Ms. Gray stated they are seeking approval for a minor site application. Ms. Gray stated there is a voluntary lot merger on record with the Merrimack County Registry of Deeds. They are abiding by all setback requirements. The building, driveway, and parking lot will remain as it is now, with the exception of a small 50-foot area where they will repair concrete at the northwest corner of the building. They are requesting a 4,000-square-foot ware yard at the rear of the building. This will be screened to the east side with an 8-foot vinyl fence. There will also be a 12-foot vinyl fence. This will be used to store ATVs, boats, cage traps, trailers, field equipment, a shed, and a pickup truck. Screening along the western, northern, and southern sides will be a chain link fence. The parking spaces will be restriped. Ms. Gray noted the requirement is for 25 total parking spaces and two ADA spaces. They are proposing 36 regular spaces, two ADA spaces, and seven compact spaces for a total of 45 spaces. The site plan includes a new dumpster pad with 8-foot vinyl fencing as screening. The driveway will be one-way traffic. They do have pavement marking and signage to make clear. There will be plenty of snow storage along the perimeter of the site. There is an ADA ramp at the north entrance of the building. Existing signage will remain. The lighting will be recircuited. For drainage, due to the increase in impervious surface, they will be adding a four-foot-wide grass swale and a retention basin.

Chair Woodfin stated concern for run off and oil leakage on from the storage area. Chair Woodfin asked about the grade and if it is steep in the back?

Ms. Gray stated they do not have any concerns with the grade or with leakage.

Chair Woodfin asked if there is anything being done to mitigate any possible leakages or potential issues with leakage?

Ms. Gray stated it is pitched 2% towards the swale. Ms. Gray noted that is something they can include on their plans.

Member Santacruce noted the sidewalk is showing three feet and what is required is five feet. Member Santacruce noted the compact spaces are fairly tight and they need to have signage.

Ms. Gray stated they can add that signage.

Member Santacruce noted a lot of times facilities add “do not enter” signs at the exit and they angle them for better visibility.

Ms. Gray noted they do show “exit only” and “do not enter” signage.

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Member Santacruce noted the signage is not on both sides of the driveway. If someone was to drive from one angle they might not see the “do not enter” sign until it is too late.

Ms. Gray stated they can add additional “do not enter” signage to both sides of the driveway.

Chair Woodfin asked if the pad will be lit.

Ms. Gray stated yes, there are two new lights and not shown on the drawings tonight. They were submitted on the portal.

Ms. Skinner stated there are a number of conditions and one of them was that the lighting plan did not meet the foot candle requirement. The proposed chain link fencing with a fabric cover does not meet the “solid and opaque” screening requirement. They did not show the required sidewalk along the site’s Airport Rd frontage.

Member Santacruce noted the existing lighting is up lit and asked if they have changed to down lit?

Ms. Skinner did not know.

Ms. Gray stated the lighting on the signage is being rewired. The wall packs on the building will remain as is. They are adding five downward light poles in the parking lot and two additional lights in the ware yard. Ms. Gray stated for the monument sign they are recircuiting and adding new lights.

Mr. Santacruce stated they like lighting to be down lit and asked that, since the sign lighting is being redone, to please provide down lighting instead of up lighting.

Ms. Gray stated yes, they would do that.

Chair Woodfin asked for clarification from Ms. Gray on the five-foot-wide sidewalks, compact car signage, in/out signage, and lighting adjustments, and if they are okay with those conditions?

Ms. Gray stated yes.

With no additional testimony from the audience, Chair Woodfin closed the public hearing.

Chair Woodfin listed the findings of fact, which included the information provided in staff reports; the applicant’s submission materials; testimony provided during the public hearing; and/or, other documents or materials provided in the public hearing.

Councilor Todd asked Chair Woodfin if the application previously was determined complete?

Ms. Skinner noted the application had not been determined complete.

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On a motion made by Member Hicks, seconded by Member Savage, the Board voted to determine the application complete, not a development of regional impact, per New Hampshire RSA 36:55, and open the public hearing. All in favor. The motion passed unanimously.

Based on the adopted findings of fact, Member Santacruz moved, seconded by Councilor Todd, to **grant minor site plan approval** for the new 4,000-square-foot outdoor storage yard, subject to precedent conditions 1a-t, 2-4 and subsequent conditions 1-15. All in favor. The motion passed unanimously.

- (a) **Precedent Conditions** – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the Planning Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void. Precedent conditions are as follows:
1. **Revise the plan set to show full compliance with the Site Plan Regulations**, including but not limited to, the following:
 - a. For constructions purposes and for compliance with Sections 15.01(1) and (2), Section 12 *General Requirements for All Drawings*, and Section 13.01 *General Requirements for Documentation* add a statement to Sheet C-3 that no state or federal permits are required, and if do happen to become required over the course of the project, that copies of such shall immediately be submitted to the Planning Division.
 - b. For compliance with Section 15.02(3) *Scale* the scale bar on Sheet C-4 needs to be changed to show and scale to 20 scale. Ensure that the scale is correct on all sheets, both shown and scaled.
 - c. For compliance with Section 15.03(1) *Property Lines* and Section 15.04(1) *Property Lines*, Sheet C-1 shall clearly and legibly include the bearings and dimensions for the property lines of the site.
 - d. Section 15.03(10) *Municipal Utilities*, Section 15.04(13) *Municipal Sewer*, and Section 15.04(14) *Drainage & Erosion Control* requires that both the existing conditions plan and the site plan show the location, size, material, and type of municipal utilities currently serving the site, including all structures, valves, hydrants, meters, and other appurtenances. Where applicable, grading and drainage information showing the information required in Section 16.02(12) *Grading and Drainage Plan* shall be shown on the site plan. Specifically concerning drainage, although the existing conditions plan shows a 52-inch drainage pipe, after a staff field visit to the site on November 27, 2024, this 52-inch pipe is actually a 60-inch pipe and needs to be updated accordingly on all sheets showing the 52-inch pipe, as well as added to the site plan and any utility sheets if not already shown.
 - e. For compliance with Section 15.03(10) *Municipal Utilities*, Section 15.04(13) *Municipal Sewer*, Section 15.04(14) *Drainage & Erosion Control*, and Section 16.02(12) *Grading and Drainage Plan*, revise the existing utilities on both the grading and drainage plan and the utility plan to include the information in the Plan and Profile Sheet: Airport Road, HL Turner Group, dated October 1, 1998. Ensure

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the 52-inch storm sewer line shown on Sheet C-4 ties into the storm manhole on Airport Rd, shown on the hatched area in the above-noted Turner Group plan, and show the connection to this storm manhole.

- f. For consistency and compliance with Section 16.02(12) *Grading and Drainage Plan* and Section 16.02(13) *Erosion Control*, the limit of disturbance, tree protection line, approximate limit of clearing and grubbing, and the approximate area of vegetation clearing shown on Sheet C-2 all need to be replicated on Sheet C-5.
- g. Section 15.04(17) *Municipal Water Supply* and Section 16.02(14)(a) *Utility Plan* require showing on the site plan or the site plan set the location and size of all existing water mains and service connections, including hydrants, gates, valves, meter, and other appurtenances. The water service line from Airport Rd to the east side of the existing building is shown on the existing conditions plan, but it is not shown on Sheet C-3, Sheet E-1, and the other sheets that show existing utilities. For compliance with this section, this service line shall be shown on Sheet C-3, Sheet E-1, and all other sheets that show existing utilities.
- h. The construction detail for the solid waste facility screening appears to be missing as required by Section 15.04(24) *Solid Waste Facilities* and Section 16.02(14)(d) *Utility Plan*. Sheet C-3 has an arrow pointing to a fence with the descriptor “new solid fence (see detail)” but the detail for the solid waste facility fence does not appear to be included in the detail sheets. A detail needs to be added to the detail sheets specifically for the solid waste facility fence and must show a solid opaque fence of at least six, but no more than eight, feet in height. Solid opaque fencing does not include chain link fencing with any type of covering or slats. The detail shall include a note stating that chain link fencing of any type, with or without any type of covering or slats, is not allowed as the solid waste facility screening.
- i. For compliance with Section 15.04(25) *Outside Storage*, all fence details for screening required for outside storage shall be revised to clearly show and specifically state that chain link fencing of any type, with or without any type of covering or slats, is not allowed for screening and shall not be installed.
- j. For compliance with Section 15.04(26) *Lighting* and Section 29 *Lighting*, revise the lighting plan to list the size and type of fixture and wattage for all fixtures, as well as details of all fixtures, and the Concord Construction Standards and Details pole detail listing the color of the pole and the height of all light poles to the top of the fixture.
- k. Per Section 13.02(2) *Utility and Drainage Slope Easements*, deeds of easements for new, extended, or expanded utility and drainage rights-of-way located outside of any existing or proposed street right-of-way shall be submitted to the Planning Division for review and approval prior to the signatures of the Planning Board Chair and Clerk of the Board on the final plan set. The format of easements shall conform to Appendix B Easements and Legal Documents.
- l. For compliance with Section 13.02(8) *State and Federal Permits*, and for construction purposes and sake of clarity, add a note to Sheet C-3 that no state or federal permits are required now, but if over the course of the project any state or federal permits are required, then copies of such shall immediately be submitted to the Planning Division.
- m. Pursuant to Section 17.02(1), easements to be conveyed to the City shall be noted or otherwise described on the site plan and shall be recorded at the Merrimack County Registry of Deeds in a form to be approved by the City Solicitor, Clerk of the Board,

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and the City Engineer. A drainage easement is required for the proposed catch basin proposed by the City in Airport Rd right-of-way, on the southeast corner of the site, pursuant to Sections 13.02(2) *Utility and Drainage Slope Easements*, 15.01(2), 15.04(12) *Easements and Rights-of-Way*, and 17.02(1). Ensure that the catch basin is within the 10'x4' easement, and ensure that the catch basin is located 32 feet from the southeast property corner of lot 8. The current location of this catch basin is not correct. Also, the easement for the 52-inch storm sewer pipe to the south of the property is not shown in the right location and needs to be shown in the correct location. Refer to HL Turner plan. Include the 10'x4' easement and catch basins, as shown in the Minor Site Plan Narrative, Appendix F, VHB General Plans Exhibit. The centerline of the catch basins appears to be within the 30-foot residential buffer setback on Sheet C-3, so it cannot be 32 feet from the property corner. Ensure this centerline is 32 feet from the property corner of lot 8 and build the 10'x4' easement around this catch basin centerline. The required easement deed shall be prepared by the applicant and submitted to the City for review. The site plan sheet shall be updated to depict the easement and either the site plan sheet, or a separate easement plan, shall be recorded at the Merrimack County Registry of Deeds. The easement deed shall be in a form to be approved by the City Solicitor, Clerk of the Board, and City Engineer.

- n. Section 20.06 *Solid Waste Facility Screening* and Section 20.07 *Design of Solid Waste Disposal Areas* requires a solid opaque fence not less than six feet high around the solid waste/dumpster area. The required solid opaque fence is missing from the plan set. Chain link fencing with a fabric covering, or any other type of covering or slats, is not solid opaque fencing.
- o. Required sidewalks shall be installed as per Section 21.02 *General Requirements* and Section 21.02 *Sidewalks Required* and plans for such shall be provided in the revised plan set.
- p. To help ensure compliance with Section 25 *Non-Municipal Utilities*, add language to note 10 on Sheet C-3 that all utility facilities shall be located underground throughout the development and that service connections to the non-municipal utilities shall be constructed to the standards contained in the Concord Construction Standards and Details and the standards established by the private utility company responsible for the service.
- q. The areas required to be screened (those in view of adjacent properties) shall be screened with a solid and opaque fence and the details and notes on the plan set shall be changed to show and indicate a solid and opaque fence that is not chain link with fabric or any other type of chain link with any type of covering for compliance with Section 26.03 *Screening of Outside Storage*.
- r. While it does not appear that any trees are being planted within 10 feet of any existing or proposed underground utility lines, to help ensure compliance with this requirement, a note shall be added to both Sheet C-3 and Sheet L-1 stating that no trees shall be planted within 10 feet of any existing or proposed underground utility lines.
- s. The lighting plan shall be revised to show compliance with the 0.2 foot-candle maximum at the north property line as required by Section 29 *Lighting*.
- t. The following items shall be added to the applicable plan sheet/addressed: signage for the compact parking spaces added to the site plan; extra "do not enter" signage

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added to the site plan; replacement of the exterior lighting around the sign with downlit lighting on the lighting plan and site plan; 5-foot sidewalks on all sheets showing sidewalks; and, an appropriate and effective method to prevent/mitigate leakage into the drainage system from any of the items stored in the outdoor storage yard, per the Site Plan Regulations, municipal code, and Concord Construction Standards and Details, on applicable plan sheets.

2. The plan set shall comply with all requirements as set forth in the Site Plan Regulations, Concord Construction Standards and Details, and Concord Municipal Code.
 3. Per Section 13.02(5) *Financial Guarantee for Public Improvements*, where applicable, a financial guarantee for all public improvements in the full amount approved by the City Engineer, and in a form acceptable to the City Solicitor, shall be submitted prior to the signatures of the Planning Board Chair and Clerk of the Board on the final plan set. All construction cost estimates for any public improvements shall be submitted and approved by the City Engineer prior to submission of a financial guarantee.
 4. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Concord Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk. The plan sets shall contain the signature and seal of the appropriate licensed professionals as outlined in the Site Plan Regulations.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the municipal code, Site Plan Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is specifically requested and granted.
 2. Per Section 4.02 of the Site Plan Regulations, no building permit shall be issued for the purposes of constructing a new or renovated building or structure, or for the purpose of making exterior alterations to an existing building or structure, or for the purpose of changing the use of an existing use of land, building, or structure, unless the certificate of approval on the final plan set has been signed by the Planning Board Chair and Clerk of the Board.
 3. Per Section 7.08(6) *Public Improvements*, the Planning Board may require that all public improvements be installed and dedicated prior to the issuance of a Certificate of Occupancy for a site plan. If the Planning Board requires the construction or installation of public improvements, then a financial guarantee shall be provided to secure the installation of the public improvements. Financial guarantees shall be provided in accordance with the requirements of Section 30 *Financial Guarantees* of the Subdivision Regulations. The amount of the financial guarantee shall be determined by the City Engineer, and the form and sufficiency of the financial guarantee shall be satisfactory to the City Solicitor.
 4. Per Section 7.08(7) *Building Permits and Certificates of Occupancy*, no building permit shall be issued where site plan approval is required until the site plan has been approved by the Planning Board, and the pre-construction conditions of approval have been satisfactorily addressed as determined by the Clerk of the Planning Board. No certificate of occupancy shall be issued until all public and private improvements have been

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- completed, and all conditions of a site plan approval established by the Planning Board have been satisfactorily addressed as determined by the Clerk of the Planning Board.
5. Per Section 7.08(8) *Change of Use*, no change of use approved by the Planning Board shall be allowed to commence operation on a property or within a building without being in full compliance with the approved site plan, architectural design review approval, and any applicable conditional use permits.
 6. Per Section 27.07(8) *Maintenance* the applicant or their successors shall be responsible for the regular maintenance of all plantings and other landscape features. Plant materials shall be maintained alive, healthy, and free from pests and disease. Tree stakes and guys shall be removed after the first growing season.
 7. Per Section 27.09(3) *Site Restoration*, grading shall be completed in accordance with the approved site plan. All disturbed land shall be recovered with loam with a minimum depth of six inches. The loam shall be fertile, natural soil, typical of the locality, free from large stones, roots, sticks, clay, peat, weeds and sod, and obtained from a naturally well drained area, nor contain toxic materials to plants. The loam shall not contain particles over two inches in diameter. Topsoil from the proposed development shall be redistributed so as to provide the required cover, when possible. All disturbed areas shall be seeded in accordance with Concord Constructions Standards and Details.
 8. Per Section 27.09(4) *Monitoring and Maintenance*, sedimentation and erosion control measures shall be installed prior to the start of construction, and shall be monitored and maintained during construction, and removed after final site stabilization in accordance with City, NHDES, and NPDES requirements.
 9. Per Section 27.09(5) *Final Stabilization*, a site shall be deemed to be stabilized when it is in a condition in which the soils on the site will not erode under the conditions of a 10-year storm. Temporary sediment and erosion control devices shall not be removed until permanent stabilization is established for the entire site or phase of the development. All temporary erosion and sediment control measures shall be removed after the completion of construction.
 10. Per Section 27.11 *Site Stabilization Guarantee* a site stabilization guarantee shall be provided to ensure the site is properly stabilized. The guarantee shall be in a form of a cash deposit or a letter of credit from a New Hampshire bank. The City Engineer may call said financial guarantee, and stabilize a disturbed site if, upon notice, the applicant has not stabilized or restored the site.
 11. Per Section 36.02 *Conditions* the applicant has the duty to comply with the approved site plan and any reasonable conditions set forth by the Planning Board for design, dedication, improvement, and restrictive use of the land.
 12. Per Section 36.15 *Compliance with Regulations*, no site construction, or change of use of land, shall occur in violation of the Site Plan Regulations and the Zoning Ordinance. No building permits may be issued for any building, structure, site improvement, or change of use prior to site plan approval and the satisfactory completion of any pre-construction conditions of Planning Board approval. The Clerk shall not approve any certificate of occupancy, nor shall any use of a building or site commence, unless the proposed improvements, and the proposed use of land or buildings, is found to comply with the approved site plan and the conditions of Planning Board approval.
 13. Per Section 36.24 *Inspections*, the Community Development Department shall be responsible for inspecting the site plan improvements for conformity with the approved plans and conditions of Planning Board approval. The City may assess the application for

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all or a portion of the cost, including overhead, of the necessary inspections. No certificate of occupancy shall be issued until the development has been completed according to the approved plans.

14. Per Section 36.25 *As-Built Plans* and Section 12.09 *As-Built Drawings*, the applicant's engineer or surveyor shall submit to the City Engineer a detailed as-built survey for all site plans showing the location of buildings, structures, utilities, parking and loading areas, driveways and access, as well as for any public improvement required by the City Engineer. The as-built survey shall also be submitted in digital format and media conforming to the Engineering Division's as-built checklist.
15. Per Section 36.27 *Release of Financial Guarantees*, a release of any financial guarantee assurance shall not be undertaken until the Clerk of the Planning Board and the City Engineer have ascertained that all site related improvements, or required public improvements, have been constructed in conformance with the approved plans and specifications.

8. Other Business

- 8A. Ari B. Pollack and Gallagher, Callahan & Gartrell, on behalf of Onyx Steeplegate Concord, LLC and Onyx Regal Concord, LLC, request discussion with the Planning Board for a comprehensive development plan design and layout for a mixed-use development at 270 Loudon Rd and 282 Loudon Rd, in the Gateway Performance (GWP) District. (2024-086) NOTE: A public hearing shall not be held for the design review phase, but comments may be received from abutters or other parties of interest.

Ms. Skinner stated that this request for a design review phase is not a public hearing. Anything that is said by either or both the applicant and the Planning Board is non-binding.

Chair Woodfin reiterated that this is not a public hearing, but if there is a member of the public that would like to provide comment, they are welcome to speak.

Ari Pollock (214 N Main St, Concord, NH), Robert Delsavio (580 Harrison Ave, Concord, NH) and Ian MacKinnon (85 Portsmouth Ave, Stratham, NH) presented the design review phase request. The purpose of design review is to receive non-binding feedback. Such feedback will be taken under advisement by the applicant.

Mr. MacKinnon noted that they are planning on Road One from Loudon Rd to Sheep Davis Rd. This road will be designed to City standards. Mr. MacKinnon noted that Lot 39 (the former Regal site) will be a multi-tenant site. The base elevation of the site will be increased by utilizing fill from other work being done elsewhere in the development.

Mr. Delsavio noted there will be underground parking for one of the residential buildings. Mr. Delsavio stated "R1" has about 120 apartments, with a total of 140,000 square feet in four levels. "R3" is a donut shape with a courtyard in the middle. There will also be a drive-thru building. This will remove the first and second story where the drive thru is located. "R3" will be a five-story building. "R2" will be partially a five-story building and it will step down to four-stories. "R2" will have commercial space on the first floor. They are looking at creating an outdoor park. They are looking at having artist spaces, a space pool, and a dock on the water.

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Chair Woodfin asked if “R1” has 310 units and parking underground.

Mr. Delsavio stated yes, under the building and below grade.

Member Fox asked to identify the market and workforce housing.

Mr. Pollock stated 60 units of the 600 total units will be workforce housing and they do not know at this time which of the 60 units will be workforce housing.

Chair Woodfin asked about the visuals. He says they see a lot of presentations with the flower beds and artistic pieces and they seem to disappear after the comprehensive development plan is presented.

Chair Woodfin asked about parking.

Mr. Pollock stated they did go to Zoning Board for a variance for fewer parking spaces that what are required.

Councilor Todd stated people will want to go on foot and it is important to keep that in mind.

Mr. Pollock stated the village needs to be attractive and inviting for people to live, work, and shop.

Chair Woodfin noted for the proposed building at the former Regal location to think about movement around the lot. If there is a drive-thru on the front of the bank, move it so headlights are directed to oncoming traffic. Chair Woodfin noted Sheep Davis Rd could potentially be the primary access and something for them to consider when planning the site for traffic. People will avoid Loudon Rd and they need to keep that in mind.

Member Condodemetraky asked about solar panels.

Mr. Pollock stated the utilities will be public and they have not considered solar. They needed a variance for height and would have to go back to Zoning Board for an additional height variance if they were added more to the roof in the way of solar panels.

Member Fox asked if the residential will be all rentals and no private ownership.

Mr. Pollock stated correct.

Member Hicks asked about the people visiting the retail establishments and traffic flow with the residential area. How will they co-exist?

Mr. MacKinnon stated each project is unique. There is Road One and Road Two which they think will become City streets to get between the lots. One element is they are showing a potential new driveway across from Target that would be a full access enter driveway with an exaggerated right out. It would remove the existing driveway closer to Sheep Davis Rd. They are providing access or egress close to the area where they mix. The same thing on Road Two they are providing access. There is a heavy push to have more sidewalk to have people walk from one retail establishment to the other.

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Chair Woodfin asked if there is a gas station?

Mr. Pollock stated yes, it is a part of Costco.

Ms. Savage ask about the water front area.

Mr. MacKinnon stated it is a wetland on the City parcel. It can be wet or dry depending on the beaver activity. They did meet with the Trails Subcommittee. They did look at other connections around the pond.

Ms. Skinner noted the Trails Subcommittee would recommend trail approval and then Conservation Commission would have to approve the trail. Ms. Skinner stated the Conservation Commission was on the fence about a trail at that location.

Mr. MacKinnon stated they will need DES approval if they do aeration and there are a lot of things they will need to look into.

Member Santacruce noted Road One as being 30 feet wide. Member Santacruce asked if anyone has been on that road lately? Member Santacruce noted the road now is a raceway and they propose to make it straighter and 30 feet wide. Mr. Santacruce suggested they take the bike lanes off the street and to consider that for Road Two as well. Member Santacruce noted the bikes are forgotten.

Mr. Pollock stated bikes are not forgotten, and they will talk to City staff about the separate bicycle lane.

Member Santacruce stated safety is a priority and suggested looking at the sidewalks as there are a lot of dead ends. Member Santacruce noted he is not a fan of the road under the building. Member Santacruce pointed out there are no crosswalks and people are going to be going back and forth. Member Santacruce suggested when advertising they use 393 as a way to get there instead of Loudon Rd.

Member Rosenberger stated she is not sure about the drive-thru of building one and parking.

Mr. Delsavio stated part of it is parking, part circulation, and also fire department access.

Chair Woodfin asked if the access is two way?

Mr. Delsavio stated it is two way.

The discussion ended. Per Section 8.07(3) of the Subdivision Regulations, the design review phase shall be complete at the end of the public meeting, unless the Planning Board elects to table consideration of the design review phase. No such action was taken; this design review phase is complete.

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- 8B. Consider adopting revised "Criteria for a New Trail" and "Procedural Guidelines for Establishing a New Trail or Trail Network." Consider adopting new "Criteria for Discontinuance of a Trail" and "Procedural Guidelines for Discontinuance of a Trail or Trail Network."

Ms. Skinner stated in the Concord Trails Plan that was adopted by the Planning Board in 2018, there are two pages for a new trails criteria list and a new trails procedure. The Trails Subcommittee had minor updates\revisions they wanted to make. Conservation Commission approved the changes and adopted them. At the same time, the Trails Subcommittee created a criteria list for discontinuing a trail and a procedure for discontinuing a trail. Those are new and not in the Concord Trails Plan. The Conservation Commission approved and adopted those. The City Attorney stated that because the criteria and procedure are part of the Concord Trails Plan that was adopted by the Planning Board, the Planning Board needed to adopt the revisions and the new items for the discontinuance of a trail.

Chair Woodfin asked if need motion to adopt, adopt with changes, or deny?

Ms. Skinner stated yes.

Councilor Todd thanked the Trails Subcommittee and the Conservation Commission for continuing to revise these documents to make them better.

Chair Woodfin noted there are two items with four proposed actions.

Member Hicks made a motion to adopt the new trail criteria and procedure and the discontinuing trail criteria and procedure, as adopted by the Conservation Commission on September 11, 2024. Councilor Todd seconded. All in favor. The motion passed unanimously.

- 8C. Request from Stephen M. Duprey and others to modify City easements located at 31 and 33 Samuel Dr, as well as permission to landscape and maintain the vegetated area within the center of the cul-de-sac at Samuel Dr, as referred to the Planning Board (as well as Parks and Recreation Advisory Committee, Transportation Policy Advisory Committee, General Services Department and Community Development Department) by City Council on November 12, 2024.

Member Santacruz moved, seconded by Councilor Todd, to continue agenda item 8C to a date certain of January 15, 2025, at the request of the applicant. All in favor. The motion passed unanimously.

Adjournment

Member Fox moved, seconded by Member Condodemetraky, to adjourn the meeting at 8:35 p.m. All in favor. The motion passed unanimously.

The next regular meeting is Wednesday, January 15, 2024, at 7:00 p.m.

TRUE RECORD ATTEST:

Krista Tremblay

Krista Tremblay

Administrative Specialist II